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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,551	05/23/2001	Dobronsky Oren	LOJM-9992	3093
20277	7590	07/26/2006	EXAMINER	
MCDERMOTT WILL & EMERY LLP			VU, THANH T	
600 13TH STREET, N.W.				
WASHINGTON, DC 20005-3096			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/864,551	<b>Applicant(s)</b> OREN ET AL.	
	<b>Examiner</b> Thanh T. Vu	<b>Art Unit</b> 2174	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 3-16, and 22 is/are allowed.
- 6) ☒ Claim(s) 17-21 and 23-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

This communication is responsive to Amendment, filed 05/11/2006.

Claims 1, 3-33 are pending in this application. This action is made Final.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17-21 and 23-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shafron (WO 00/25239), and Furst (U.S. Pat. No. 6,297,819).

Per claim 23, Shafron teaches a method for updating a user-selectable button is displayed in a toolbar area of a browser, the method comprising:

retrieving from a database at least one of graphical information and a text label associated with an identifier (pg. 41, lines 1-23); and

sending the at least one of the graphical information and the text label to the client for dynamically updating the displayed user-selectable button (pg. 2, line 19 – pg. 3, lines line 3; pg. 5, lines 1-15; pg. 16, lines 5-20; pg. 42, lines 10-19), but does not teach receiving, from a client, an identifier based on the web site that is being accessed via the browser. However, Furst teaches receiving, from a client, an identifier based on the web site that is being accessed via the browser (col. 1, lines –col. 2, lines 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Furst in the invention of Shafron in

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order to enable a user obtain and interact with context sensitive services and information based on the user's browsing activity.

Per claim 24, Shafron teaches the method of claim 23, further comprising:

Retrieving from the database a set of links associated with the identifier (fig. 6; pg. 14, line 16 – pg. 18, line 18 – pg. 19, line 10; pg. 41, lines 1-23) and sending the set of links to the client for display in response to activation of the user selectable button (pg. 2, line 19 – pg. 3, lines line 3; pg. 5, lines 1-15; pg. 16, lines 5-20; pg. 42, lines 10-19).

Per claim 25, Shafron teaches the method of claim 24, wherein the set of links is displayed outside the toolbar area of the browser in a pop-up window of the browser (pg. 21, lines 10-14).

Per claim 26, Shafron teaches wherein the identifier comprises a uniform resource locator (pg. 14, lines 13-16; pg. 35, lines 10-24; pg. 38, lines 7-11).

Per claim 27, Shafron teaches the method of claim 23, wherein the identifier comprises at least one keyword associated with content display by browser (pg. 35, lines 10-24; pg. 38, lines 7-11).

Claim 28 is rejected under the same rationale as claim 23.

Per claim 29, Shafron teaches the method of claim 28, wherein the configuration is configured to display graphic information in a toolbar area of the browser (fig. 4; pg. 36, lines 5-12; pg. 3, lines 15-20).

Per claim 30, Shafron teaches the method of claim 28, wherein the configuration is configured to display user-selectable button in a toolbar area of the browser, the user selectable

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button including at least one of graphic information and text information (fig. 4; pg. 3, lines 15-20; pg. 14, lines 1-6).

Claims 31-33 are rejected under the same rationale as claims 25-27 respectively.

Claim 17 is rejected under the same rationale of claim 23.

Per claim 18, Shafron teaches the method of claim 17, the graphic information further comprising a user-selectable button that includes a text label, the button for directing a user to at least one web site corresponding to the text label (pg. 3, lines 16-20; pg. 41, lines 12-18).

Per claim 19, Shafron teaches the method of claim 18, wherein the text label is updated based on the web site that is being accessed via the browser (pg. 2, line 19 – pg. 3, lines line 3; pg. 5, lines 1-7).

Per claim 20, Shafron teaches the system of claim 18, wherein the text label is updated based on a factor other than the web site being viewed by the browser (pg. 2, line 19 – pg. 3, lines line 3; pg. 5, lines 1-15; pg. 16, lines 5-20; pg. 42, lines 10-19).

Per claim 21, Shafron teaches the system of claim 17, wherein the graphic information corresponding to content of the web site that is being viewed by the browser (pg. 2, line 19 – pg. 3, lines line 3; pg. 5, lines 1-15; pg. 16, lines 5-20; pg. 42, lines 10-19).

***Allowable Subject Matter***

Claims 1, 3-16, and 22 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art either alone or in combination doesn't teach the limitation of a plug-in comprising programming instruction for providing graphic information in a toolbar area of a browser and updating the

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graphic information in formation dynamically based on a web site that is being accessed via the browser in combination with the other claimed features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Response to Arguments***

Applicants’ arguments in the Amendment have been fully considered but are not persuasive.

Claims 17-21 and 23-33, applicant’s primary argument is the claim language requires “providing a plug-in for installation in a browser. The plug-in bears programming instructions for carrying out a number of function...” (page 3). The examiner does not agree because the claim limitations are in 17-21 and 23-33.

In addition the applicant points out that the prior arts does not teach “updating the graphic information and text label dynamically based on the web site being accessed by the browser”. The examiner does not agree because Furst teaches updating the graphic information and text label dynamically based on the web site being accessed by the browser (col. 1, line 63 –col. 2, line 4)

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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